



## PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District, CENAN-OP-R  
Upstate Regulatory Field Office  
1 Buffington Street, Bldg. 10, 3<sup>rd</sup> Floor  
Watervliet, New York 12189-4000

In replying refer to:  
Public Notice Number: NAN-2008-00533-WDE  
Issue Date: July 31, 2008  
Expiration Date: August 29, 2008

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Saint Lawrence Seaway Development Corporation  
180 Andrews Street  
P.O. Box 520  
Massena, NY 13662-0520

ACTIVITY: Dredging with upland disposal.

WATERWAY: Saint Lawrence River

LOCATION: Town of Bombay, Franklin County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO THE ATTENTION OF CHRISTINE DELORIER AT THE ABOVE ADDRESS, OR SENT VIA ELECTRONIC MAIL TO [christine.delorier@usace.army.mil](mailto:christine.delorier@usace.army.mil) TO REACH THIS OFFICE BY THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration: NONE

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact Christine Delorier of this office at (518) 266-6354.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

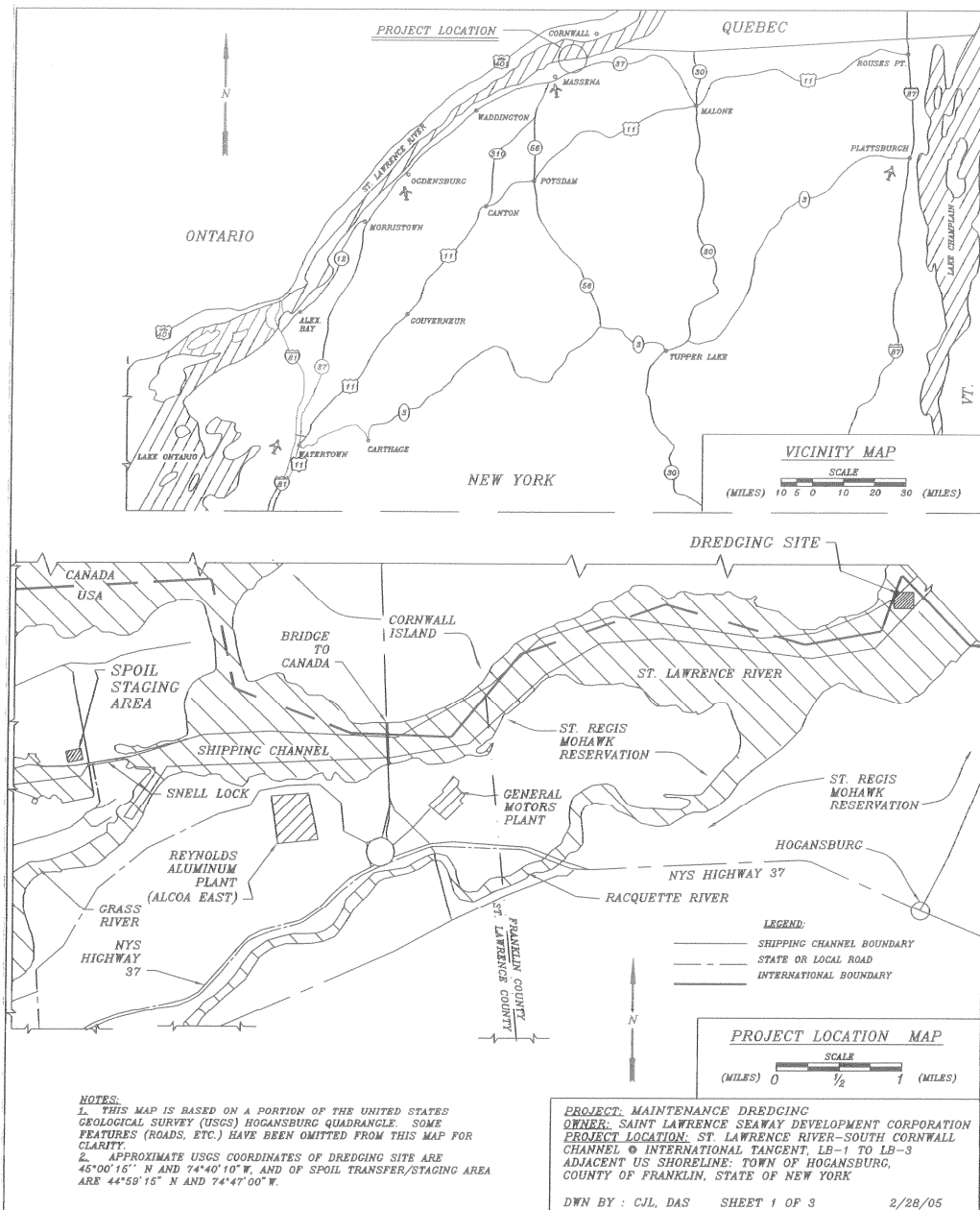
### WORK DESCRIPTION

The applicant, the Saint Lawrence Seaway Development Corporation, part of the U.S. Department of Transportation, has requested Department of the Army authorization to perform maintenance dredging in the St. Lawrence River. The project site is located in the South Cornwall Channel at the International Tangent in the Town of Bombay, Franklin County, New York.

The work would involve dredging, with a closed clamshell or hydraulic dredge operating from a barge, to remove approximately 3,200 cubic yards of accumulated, mostly coarse grained sediment from four locations within the channel whose areas total approximately 83,000 square feet. The dredging would remove between 1.5 feet to 5.5 feet of sediment to restore the design depth of the channel, which is 122.0 feet International Great Lake Datum 1985 (IGLD-85). No over-depth dredging is proposed. The dredged material would be placed on barges, with no barge overflow, and transported to a spoil staging area located near Snell Lock in the Town of Massena, St. Lawrence County, New York. Methods, such as the use of dikes, would be employed to contain the dredged material at the spoil staging area.

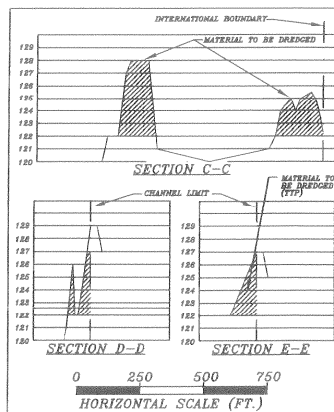
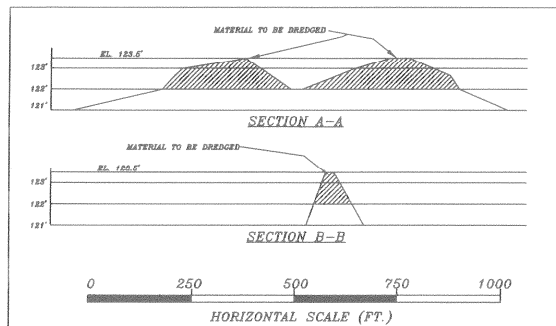
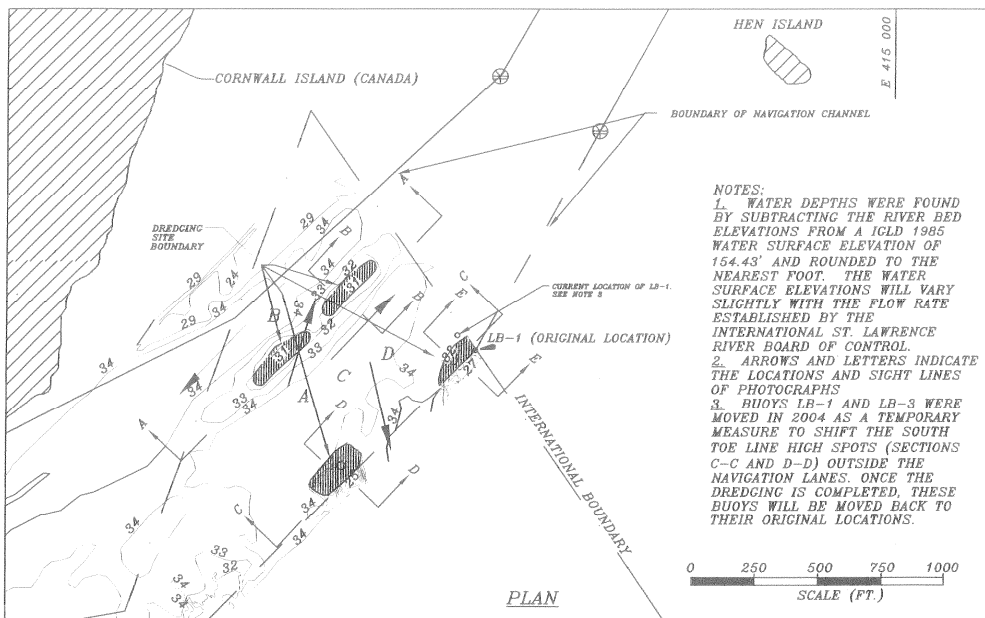
Since earlier testing of the sediment indicated elevated mercury, pesticide, dioxin and PCB levels, further testing of the sediment and entrained water contained at the staging area would be conducted. The results of the testing would dictate the final disposal location of the sediment, but regardless, it would be hauled away by trucks and disposed of in uplands at a state approved facility. If the additional testing reveals that contaminant levels in the contained water is less than regulatory thresholds, the water would be returned to the river. If the contaminant levels exceed regulatory thresholds, the water would either be treated by state approved methods to lower the concentrations below the thresholds and then released to the river, or would be disposed of at an appropriate off-site location.

The stated purpose of this project is to restore the subject portion of the international navigation channel to original design depth to provide for safe navigation.



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#### SECTIONS

#### DREDGING LOCATIONS

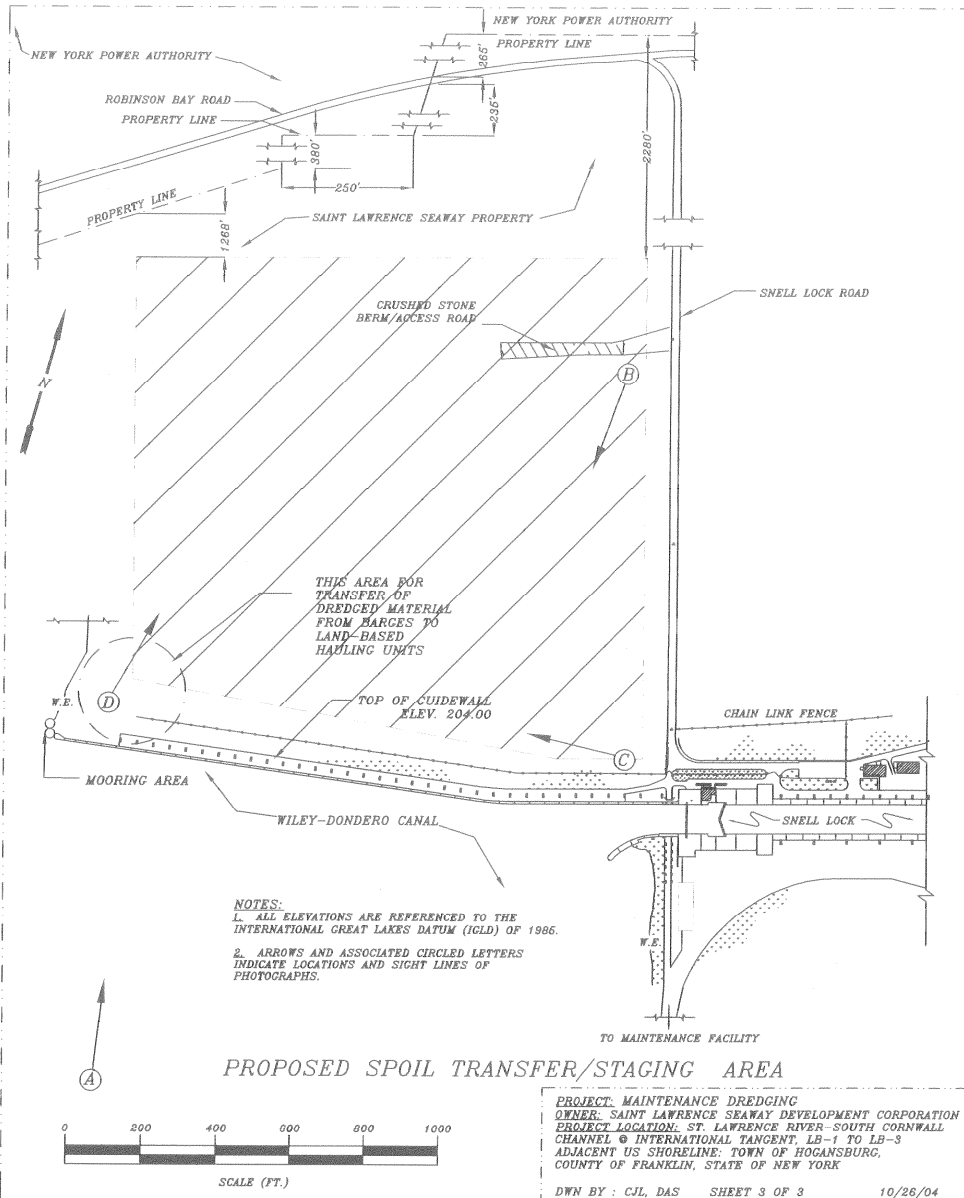
**SPECIAL NOTE:** AREAS SHOWN IN SECTIONS C-C, D-D & E-E AT THE SOUTH CHANNEL BOUNDARY WERE ADDED TO THE SCOPE OF THE PROJECT IN 2007. THE TOTAL QUANTITY OF DREDGING IS ESTIMATED TO BE APPROXIMATELY 3200 CUBIC YARDS. ALL MATERIAL ABOVE ELEVATION 122 IGLD 1985 IS TO BE REMOVED.

**PROJECT:** MAINTENANCE DREDGING  
**OWNER:** SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION  
**PROJECT LOCATION:** ST. LAWRENCE RIVER-SOUTH CORNWALL CHANNEL @ INTERNATIONAL TANGENT, LB-1 TO LB-3  
 ADJACENT US SHORELINE: TOWN OF HOGANSBURG, COUNTY OF FRANKLIN, STATE OF NEW YORK

DWN BY : CJL, DAS SHEET 1 OF 1 02/20/08

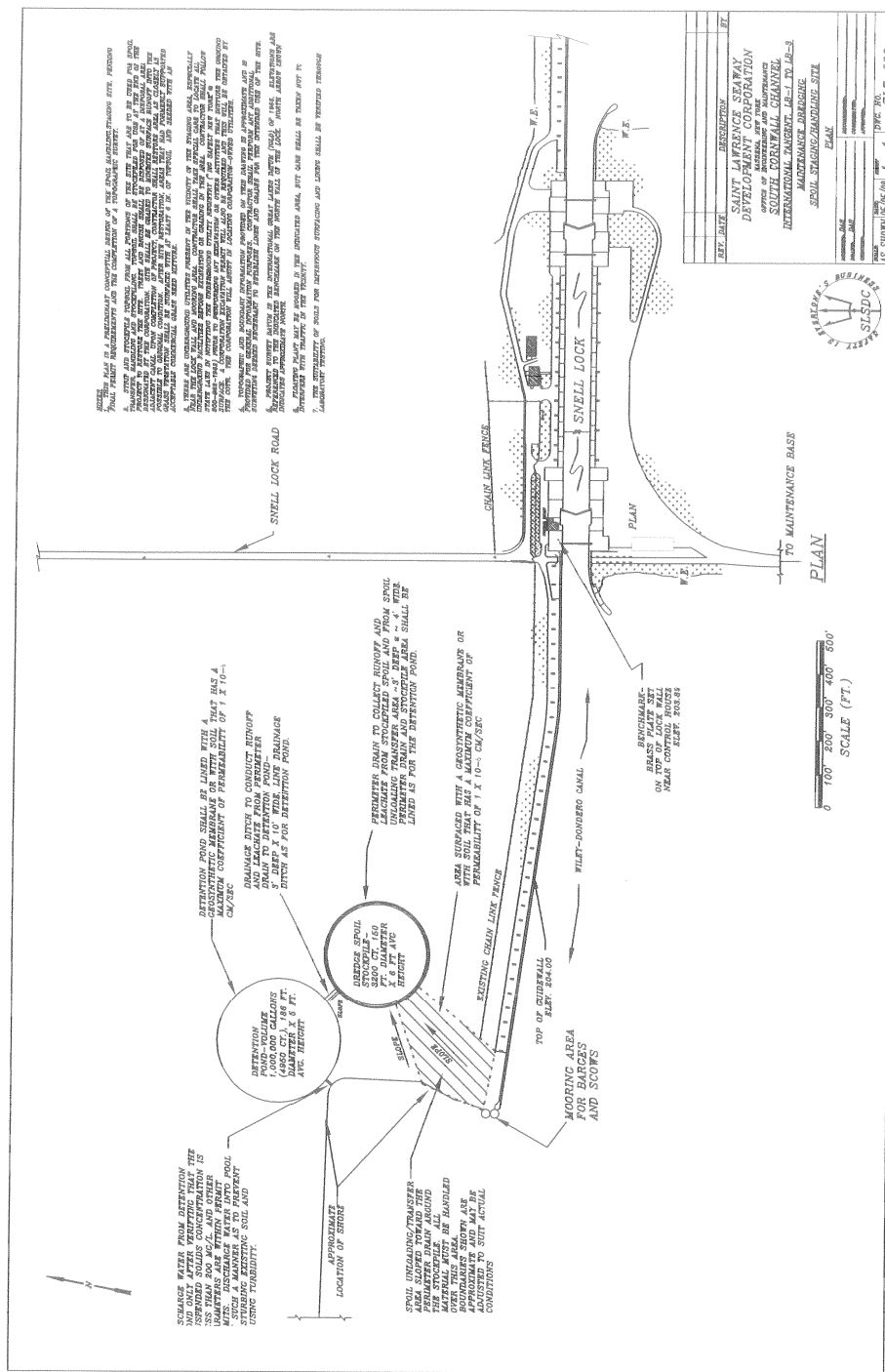
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